

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.

0 Valuation of Security 0 Assumption of Executory Contract or Unexpired Lease 0 Lien Avoidance

Last revised: September 1, 2018

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re:

Bruce Allen Latshaw
Jennifer Sue Latshaw

Case No.: 18-24502

Judge: MBK

Debtor(s) 2nd modified

Chapter 13 Plan and Motions

☐ Original ☒ Modified/Notice Required Date: 12/12/2018
☐ Motions Included ☐ Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the *Notice*. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☒ DOES ☐ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney: /s/WHO

Initial Debtor: /s/ BAL

Initial Co-Debtor: /s/ JSL

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ 541.00 per month to the Chapter 13 Trustee, starting on October 1, 2018 for approximately 58 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

☒ Future earnings

☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐ Sale of real property

Description:

Proposed date for completion: _____

☐ Refinance of real property:

Description:

Proposed date for completion: _____

☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: _____

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection ☒ NONE

a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
CHAPTER 13 STANDING TRUSTEE	ADMINISTRATIVE	AS ALLOWED BY STATUTE
ATTORNEY FEE BALANCE	ADMINISTRATIVE	BALANCE DUE: \$ 2,010.00
DOMESTIC SUPPORT OBLIGATION		

b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:
Check one:

☒ None

☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
	Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount.		

Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: ☐ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
AmeriHome Mort	406 Fairfield Way, Neptune, NJ	\$12,959.74	0	\$12,959.74	\$2,151.29

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

c. Secured claims excluded from 11 U.S.C. 506: ☒ NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation

d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ☐ **NONE**

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this Section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid
Fifth Third Bank	2015 Jeep Renegade	\$24,474.00	\$14,000.00	0	\$14,000.00	4.5%	\$15,660.00

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender ☐ **NONE**

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
Fairfield Glade	Timeshare	unknown	to be surrendered in full satisfaction of debt/lien
Fulton Bank of NJ	2015 Zinger TT26VH Trailer	\$22,106,000	to be surrendered in full satisfaction of debt/lien

f. Secured Claims Unaffected by the Plan ☐ NONE

The following secured claims are unaffected by the Plan:

Citizens Bank - auto loan - 2013 F150
Student loan

g. Secured Claims to be Paid in Full Through the Plan: ☒ NONE

Creditor	Collateral	Total Amount to be Paid Through the Plan

Part 5: Unsecured Claims ☐ NONE

a. Not separately classified allowed non-priority unsecured claims shall be paid:

- ☒ Not less than \$ 0 to be distributed *pro rata*
☐ Not less than _____ percent
☐ *Pro Rata* distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid

Part 6: Executory Contracts and Unexpired Leases ☒ NONE

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment

Part 7: Motions ☐ NONE

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f). ☒ NONE

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. ☒ **NONE**

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. ☐ **NONE**

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
Fifth Third Bank	2015 Jeep Renegade	\$24,474.00	\$14,000.00	\$15,660.00	\$8,814.00

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon confirmation
☐ Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee commissions
- 2) Other Administrative Claims - William H. Oliver
- 3) Secured Claim
- 4) Priority Claims; 5) General unsecured claims

d. Post-Petition Claims

The Standing Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification ☐ NONE

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: 07/20/2018.

Explain below **why** the plan is being modified:
Plan confirmed without timeshare not being surrendered.
Proper service to creditor now done

Explain below **how** the plan is being modified:
Part 4e: Adding Fairfield Glade (timeshare) to be surrendered in full satisfaction of debt/lien

Are Schedules I and J being filed simultaneously with this Modified Plan? ☐ Yes ☒ No

Part 10: Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

☒ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are ineffective.

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to Local Form, *Chapter 13 Plan and Motions*, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date: 12/12/2018

/s/ William H. Oliver, Jr.
Debtor

Date: 12/12/2018

/s/ Bruce A. Latshaw
Joint Debtor

Date: 12/12/2018

/s/ Jennifer S. Latshaw
Attorney for Debtor(s)

Certificate of Notice Page 11 of 12

United States Bankruptcy Court
District of New JerseyIn re:
Bruce Allen Latshaw
Jennifer Sue Latshaw
DebtorsCase No. 18-24502-MBK
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf901Page 1 of 2
Total Noticed: 45

Date Rcvd: Dec 14, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 16, 2018.

db/jdb
cr +Bruce Allen Latshaw, Jennifer Sue Latshaw, 406 Fairfield Way, Neptune, NJ 07753-5821
+AMERIHOM MORTGAGE COMPANY, LLC, Phelan Hallinan & Schmieg, PC, 400 Fellowship Road,
Suite 100, : Mt. Laurel, NJ 08054-3437
517781379 +AMERIHOM MORTGAGE COMPANY, LLC, Cenlar FSB, 425 Phillips blvd, Ewing, NJ 08618-1430
517654604 #+AmeriHome Mortgage, Attn: Bankruptcy, 21215 Burbank Blvd, 4th Floor,
Woodland Hills, CA 91367-7091
517716220 +Atlantic Medicine & Wellness, c/o Pressler, Felt & Warshaw, LLP., 7 Entin Road,
Parsippany NJ 07054-5020
517654609 +Chase Card Services, Correspondence Dept, Po Box 15298, Wilmington, DE 19850-5298
517654610 +Chase Card Services, Po Box 15298, Wilmington, DE 19850-5298
517781902 +Citibank, N.A., Citibank, N.A., 701 East 60th Street North, Sioux Falls, SD 57104-0493
517654612 +Citibank/Sears, Po Box 6282, Sioux Falls, SD 57117-6282
517654611 +Citibank/Sears, Centralized Bankruptcy, Po Box 790034, St Louis, MO 63179-0034
517654613 +Citizens Bank, 480 Jefferson Blvd, Warwick, RI 02886-1359
517903458 +Citizens Bank N.A., One Citizens Bank Way, Mailstop: JCA115, Johnston, RI 02919-1922
517654616 +FedLoan Servicing, Attention: Bankruptcy, Po Box 69184, Harrisburg, PA 17106-9184
517654617 +FedLoan Servicing, Pob 60610, Harrisburg, PA 17106-0610
517654619 +Fifth Third Bank, 5050 Kingsley Dr, Cincinnati, OH 45227-1115
517693429 +Fifth Third Bank, PO Box 9013, Addison, Texas 75001-9013
517912778 +MidFirst Bank, Bankruptcy Department, 999 NW Grand Boulevard, #110,
Oklahoma City, OK 73118-6051
517912779 +MidFirst Bank, Bankruptcy Department, 999 NW Grand Boulevard, #110,
Oklahoma City, OK 73118-6077, MidFirst Bank, Bankruptcy Department 73118-6051
517654622 +Pressler Felt & Warshaw, LLP, 7 Entin Road, Parsippany, NJ 07054-5020
517654625 +STATE OF NEW JERSEY, DIVISION OF TAXATION BANKRUPTCY UNIT, PO BOX 245,
TRENTON NJ 08646-0245
(address filed with court: State of New Jersey, Division of Taxation, Bankruptcy Unit,
P.O. Box 245, Trenton, NJ 08695-0245)
517654624 +Santander Bank Na, Po Box 12646, Reading, PA 19612-2646
517654623 +Santander Bank Na, Attn: Bankruptcy, Po Box 12646, Reading, PA 19612-2646

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
smg E-mail/Text: usanj.njbankr@usdoj.gov Dec 15 2018 00:00:28 U.S. Attorney, 970 Broad St.,
Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Dec 15 2018 00:00:25 United States Trustee,
Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
Newark, NJ 07102-5235
517654606 +E-mail/Text: bankruptcy@savit.com Dec 15 2018 00:01:24 Atlantic Medicine & Wellness,
c/o Savit Collection Agency, PO Box 250, East Brunswick, NJ 08816-0250
517654608 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Dec 15 2018 00:05:53 Capital One,
15000 Capital One Dr, Richmond, VA 23238
517654607 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Dec 15 2018 00:05:58 Capital One,
Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
517699335 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Dec 15 2018 00:05:53
Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083
517654615 E-mail/Text: mrdiscen@discover.com Dec 14 2018 23:59:40 Discover Financial, Po Box 15316,
Wilmington, DE 19850
517667523 E-mail/Text: mrdiscen@discover.com Dec 14 2018 23:59:40 Discover Bank,
Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
517654614 +E-mail/Text: mrdiscen@discover.com Dec 14 2018 23:59:40 Discover Financial, Po Box 3025,
New Albany, OH 43054-3025
517751537 +E-mail/Text: bankruptcy@fult.com Dec 15 2018 00:01:33 FULTON BANK OF NEW JERSEY,
ONE PENN SQUARE, LANCASTER, PA 17602-2853
517654618 +E-mail/Text: collectionbankruptcies.bancorp@53.com Dec 15 2018 00:01:03 Fifth Third Bank,
Attn: Bankruptcy Department, 1830 E Paris Ave Se, Grand Rapids, MI 49546-8803
517654620 +E-mail/Text: bankruptcy@fult.com Dec 15 2018 00:01:33 Fulton Bank Of New J, 100 Park Ave,
Woodbury, NJ 08096-3513
517654621 E-mail/Text: cio.bncmail@irs.gov Dec 14 2018 23:59:56 Internal Revenue Service,
PO Box 7346, Philadelphia, PA 19101-7346
517656504 +E-mail/PDF: gecsed@recoverycorp.com Dec 15 2018 00:04:33 Synchrony Bank,
c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
517654626 +E-mail/PDF: gecsed@recoverycorp.com Dec 15 2018 00:04:33 Synchrony Bank/ JC Penneys,
Attn: Bankruptcy Dept, Po Box 965060, Orlando, FL 32896-5060
517654627 +E-mail/PDF: gecsed@recoverycorp.com Dec 15 2018 00:05:49 Synchrony Bank/ JC Penneys,
Po Box 965007, Orlando, FL 32896-5007
517654629 +E-mail/PDF: gecsed@recoverycorp.com Dec 15 2018 00:05:12 Synchrony Bank/Amazon,
Po Box 965015, Orlando, FL 32896-5015
517654628 +E-mail/PDF: gecsed@recoverycorp.com Dec 15 2018 00:05:49 Synchrony Bank/Amazon,
Attn: Bankruptcy Dept, Po Box 965060, Orlando, FL 32896-5060
517654630 +E-mail/PDF: gecsed@recoverycorp.com Dec 15 2018 00:04:34 Synchrony Bank/Gap,
Attn: Bankruptcy Dept, Po Box 965060, Orlando, FL 32896-5060
517654631 +E-mail/PDF: gecsed@recoverycorp.com Dec 15 2018 00:05:49 Synchrony Bank/Gap,
Po Box 965005, Orlando, FL 32896-5005

District/off: 0312-3

User: admin
Form ID: pdf901

Page 2 of 2
Total Noticed: 45

Date Rcvd: Dec 14, 2018

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

517654632 +E-mail/PDF: gecsed@recoverycorp.com Dec 15 2018 00:05:50 Synchrony Bank/Walmart,
Po Box 965024, Orlando, FL 32896-5024
517757426 +E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Dec 15 2018 00:04:44 Verizon,
by American InfoSource as agent, 4515 N Santa Fe Ave, Oklahoma City, OK 73118-7901
517912000 +E-mail/Text: bankruptcydept@wyn.com Dec 15 2018 00:00:54 Wyndham Resort at Fairfield Glade,
109 Fairfield Blvd, Crossville, TN 38558-6414

TOTAL: 23

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

517654605 ##+AmeriHome Mortgage, 21300 Victory Blvd Ste 2, Woodland Hills, CA 91367-7728

TOTALS: 0, * 0, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.
While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 16, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 12, 2018 at the address(es) listed below:

Albert Russo docs@russotrustee.com
Craig Scott Keiser on behalf of Creditor AMERIHOM MORTGAGE COMPANY, LLC
craig.keiser@phelanhallinan.com
Denise E. Carlon on behalf of Creditor Fifth Third Bank dcarlon@kmlawgroup.com,
bkggroup@kmlawgroup.com
Jill Manzo on behalf of Creditor FULTON BANK OF NEW JERSEY bankruptcy@feinsuch.com
Kevin Gordon McDonald on behalf of Creditor Fifth Third Bank kmcdonald@kmlawgroup.com,
bkggroup@kmlawgroup.com
Nicholas V. Rogers on behalf of Creditor AMERIHOM MORTGAGE COMPANY, LLC nj.bkecf@fedpne.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov
William H. Oliver, Jr. on behalf of Debtor Bruce Allen Latshaw bkwoliver@aol.com,
R59915@notify.bestcase.com
William H. Oliver, Jr. on behalf of Joint Debtor Jennifer Sue Latshaw bkwoliver@aol.com,
R59915@notify.bestcase.com

TOTAL: 9